

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.1929 of 2007

Between:

Kallem Penta Reddy.

PETITIONER

and

The Station House Officer,
Vanasthalipuram police station and others.

RESPONDENTS

ORDER:

The grievance of the petitioner is that he has filed an

application in I.A.No.4659 of 2006 in I.A.No.8022 of 2001 in O.S.No.1293 of 2001 on the file of Principal Junior Civil Judge, Ranga Reddy District, to direct the Station House Officer, Vanasthalipuram police station, to grant police aid to the petitioner for implementing the order, dated 03-02-2005, in C.M.A.No.91 of 2003 on the file of III Additional District Judge, Ranga Reddy District.

It is stated that the petitioner filed a suit in O.S.No.1293 of 2001 on the file of Junior Civil Judge, East and North, Ranga Reddy District, seeking perpetual injunction against the respondents in respect of the land admeasuring Ac.8-00 gts covered by Sy.No.63 situated at Nadergul village, Saroornagar Mandal, Ranga Reddy District and also filed I.A.No.8022 of 2001 seeking interim injunction. However, the said I.A. was dismissed through order, dated 31-03-2003.

Aggrieved by the same, he preferred C.M.A.No.91 of 2003 on the file of III Additional District Judge, Ranga Reddy District. The learned Judge, through order, dated 03-02-2005, allowed the C.M.A. granting interim injunction in favour of the petitioner in respect of the property in question.

It is further stated that even after grant of temporary injunction, respondents 2 to 4 are interfering with his peaceful possession and enjoyment of the property in question and the 1st respondent is not giving any police aid to protect his property and therefore, the petitioner filed I.A.No.4659 of 2006 on the file of Principal Junior Civil Judge, Ranga Reddy District, seeking police protection.

The learned counsel appearing for the petitioner further

relied on a decision of this court in **NEETHA CHINTAWAR V. BODUGAM GOPI**^[1], wherein it was held that the petitioner can always approach the court for police protection even though there is a remedy available under Order 39 Rule 2-A of CPC. It is further held that granting of police protection is not showing any favour to plaintiffs but would amount to taking steps for effective implementation of court's order and thereby upholding the dignity of judiciary.

It is further stated that though the said application i.e., I.A.No.4659 of 2006 is filed in December, 2006, no orders have been passed so far, as there is no regular Presiding Officer. It is stated that the Additional Junior Civil Judge, Ranga Reddy District, who is in-charge of the Principal Junior Civil Judge, Ranga Reddy District, is also not taking up the said application.

It is brought to my notice that regular Principal Junior Civil Judge, Ranga Reddy District, has been posted. However, if there is any delay in assuming the charge, who ever is in-charge of the Principal Junior Civil Judge, Ranga Reddy District, may pass appropriate orders in I.A.No.4659 of 2006, in accordance with law, as expeditiously as possible.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

08-02-2007

Note:

Issue C.C. in one week

(B/o)

Prv

[\[1\]](#) 2006 (4) ALT 660